

INVISTA S.à r.l.
Voluntary Disclosures for Athens, Georgia
Final Report -- January 31, 2006

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Item	Regulatory Citation	Brief Description of the Requirement	Deficiency	Corrective Action	Date Discovered	60-day Deadline	Date Corrected	Frequency/Duration
1	Land Application Permit # GA01-405	The facility is required to monitor groundwater wells on a quarterly basis around the land application area. Analyses are to include: nitrate, specific conductivity, pH, and depth to groundwater.	The facility is monitoring the wells annually for the following parameters: specific conductivity, depth to groundwater, pH, specific gravity, total dissolved solids, total suspended solids, ammonia as nitrogen, total phosphorus, COD, BOD, nitrate, total organic carbon, and oil & grease. No document was found in the file relative to a modification allowing a reduction in monitoring frequency. The facility has not land applied any waste in the last 10 years.	The facility began submitting quarterly monitoring of groundwater wells as required by the permit. Affected personnel were trained on the monitoring requirements.	5/3/05	7/1/05	6/30/05	B,F
2	Storm Water General Permit GAR00000	The facility is required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the permit's provisions.	The facility has prepared a SWPPP, but the plan has eleven miscellaneous technical deficiencies.	The facility amended the SWPPP to address the deficiencies noted. Affected personnel were trained per the revised SWPPP.	5/3/05	7/1/05	6/29/05	A,F

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3	Cross Connection Control Ordinance Section 6: Section F: page 6-11, Section G: page 6-13.	The facility is required to inspect backflow protection devices annually.	The facility received notification from the Athens Clarke County Cross Connection Coordinator, dated March 1, 2005, requiring the "annual" test of the backflow prevention devices. The notice provided information of test requirements and a list of devices to be tested. The test results were to be submitted to the City by March 31, 2005. The notice was not directed to the person, or persons, responsible for arranging the tests, and no action was taken. The facility received the second notice requiring completion of the test(s) and submittal of the results by May 4, 2005. NOTE: a contractor has been engaged to test the device 5/4/05. It should also be noted that there is no record of the facility having tested, or of being required to test, the backflow prevention device in prior years.	The facility engaged a certified contractor to complete the required back flow protection device inspection and submitted the results to the County on 5/4/05.	5/3/05	7/1/05	5/4/05	B,F
4	7 U.S.C.A. § 136 j (A)(2)(g) (Federal Insecticide, Fungicide and Rodenticide Act)	Section 136 j (A) (2) (g) of the Federal Insecticide, Fungicide and Rodenticide Act provides that "it shall be unlawful for any person to use any registered pesticide in a manner inconsistent with its labeling"	The label for the registered pesticide (Biosperse 250) used in water treatment indicates the containers should be triple rinsed and recycled or punctured prior to disposal in a sanitary landfill. Personnel indicated that the containers are triple rinsed but are not punctured prior to disposal.	The facility prepared a procedure to appropriately dispose of the pesticide containers. Affected personnel were trained on the procedure.	5/3/05	7/1/05		B,F

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5	40 C.F.R. § 112.7(e)	Since the facility is required to prepare a SPCC Plan, the plant is required to maintain inspection records for a period of three years.	The SPCC Plan indicates that daily inspections will be conducted of the fuel oil tank, transformers, and waste finish system. A representative review of inspection records indicated that inspection records were not available for a week in September 2004 and May 13 and 14, 2004. The SPCC Plan also indicates that the oil drum storage areas are inspected on a monthly basis. Records were not available to document the inspection of the oil drums in the power area in October and November 2004.	The facility engaged a professional engineer (PE) to amend the SPCC plan to include appropriate inspection and records retention requirements. Affected personnel were trained on the amended SPCC plan, including inspection requirements.	5/3/05	7/1/05	6/30/05	C
6	40 C.F.R. § 112.5	The SPCC Plan regulations require a Professional Engineer to certify any technical amendment to the plan.	Since the SPCC Plan was last reviewed in February 2001 the facility added the 55-gallon oil drums at the facility to the plan (March 2004) without the plan being recertified by a P.E.	The facility engaged a PE who amended the SPCC plan to reflect the requirement for PE recertification for technical amendments and certified the amendments being made to the SPCC plan. Affected personnel were trained on the amended SPCC plan.	5/3/05	7/1/05	6/30/05	A,F
7	40 C.F.R. § 112.8(c)(6)	The SPCC Plan regulations require that regular visual inspections must be performed of containers storing oil.	Currently inspections are not being performed on the fuel oil tanks for the emergency fire water pumps.	The facility revised the inspection form in the SPCC plan to include the fuel oil tanks in the pump house. Affected personnel were trained on the revised inspection requirements. The facility began conducting the required inspections.	5/3/05	7/1/05	6/30/05	B,F

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8	40 C.F.R. § 112.7(c)	The SPCC Plan regulations require that appropriate containment and/or diversionary structures be installed to prevent spills from reaching a navigable water.	The piping between the fuel oil tank and the building and the fuel oil piping inside the fire water pump house does not have a means of preventing leaks from reaching a navigable water.	The facility sealed openings in the pump house to provide sufficient containment. A PE evaluated the containment options for the fuel oil piping and appropriate containment and/or diversionary structures were provided for the fuel oil piping. The SPCC plan was amended and recertified by the PE.	5/3/05	7/1/05	6/30/05	A,F
9	40 C.F.R. § 112	Since the facility stores greater than 1,320 gallons of oil the facility is required to prepare a SPCC Plan.	The facility's SPCC Plan contained 9 miscellaneous technical deficiencies.	The facility engaged a PE who amended the SPCC Plan to address the deficiencies noted. Affected personnel were trained on the amended SPCC plan.	5/3/05	7/1/05	6/30/05	A,F
10	40 C.F.R. § 112.8(c)(2)	The SPCC regulations require oil storage tanks to have sufficient secondary containment to contain 100 percent of the capacity of the tank plus sufficient free board to contain a precipitation event.	The fuel oil storage tank has a capacity of approximately 15,200 gallons and has a secondary containment capacity of approximately 15,400 gallons. This free board is sufficient to contain only a 0.5 inch rainfall. Currently the facility has implemented administrative controls to limit the storage in the tank to less than 12,000 gallons. Administrative controls cannot be implemented to meet the SPCC secondary containment requirements.	The facility engaged a PE who evaluated the containment options. The facility modified the containment per the PE's recommendations. The SPCC Plan was amended to include the containment modifications. Affected personnel were trained on the amended SPCC plan.	5/4/05	7/2/05	6/30/05	A,F
11	Air Permit 2282-059-0038-B-01-0	Permit Condition 4.2 requires that routine maintenance shall be performed on all air pollution control equipment.	The CVM scrubber/fume eliminator has a "system on" indicator bulb. The bulb did not appear to be functioning as the system was operating and the bulb was not illuminated.	The facility replaced the bulb. An inspection program was implemented to ensure that components of the pollution control equipment are functioning properly. Affected personnel were trained on the requirement to maintain air pollution control equipment pursuant to Permit Condition 4.2 and on the inspection program.	5/4/05	7/2/05	6/20/05	C

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12	40 C.F.R. § 355.30	A Facility at which there is present an Extremely Hazardous Substance (EHS) equal to or greater than the threshold planning quantity (TPQ) must provide notification to the State Emergency Response Commission (SERC) that the Facility is subject to emergency planning requirements and shall designate an emergency coordinator.	Sulfuric acid, contained in lead/acid batteries, is present in quantities greater than the TPQ (TPQ is 1,000 lbs for sulfuric acid). Although the Tier II report provides comparable information to the agencies, there was no record that the notification referenced in the regulation was submitted to the appropriate agency.	The facility submitted the required initial notification to the SERC. The site chemical approval procedure was revised to incorporate this notification requirement. Affected personnel were trained on the revised procedure.	5/4/05	7/2/05	6/3/05	D,F
13	40 C.F.R. § 273.15	A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated. A small quantity handler of universal waste who accumulates waste must be able to demonstrate the length of time that universal waste has been accumulated using one of the six prescribed procedures in § 273.15 (c).	Spent fluorescent lamps are classified as universal wastes and stored in appropriate cardboard boxes in the chemical shed. Accumulation dates are not recorded on the cardboard boxes. The facility cannot demonstrate that the accumulation times for the spent lamps have not exceeded one year in accordance with the prescribed procedures in the regulation.	The facility disposed of spent fluorescent lamps in the current inventory as universal wastes. The universal waste management procedure was revised to include labelling of containers with the accumulation start date and a container/labeling inspection program. Affected personnel were trained on the revised procedure.	5/4/05	7/2/05	6/20/05	B,F

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14	40 C.F.R. § 273.16	A small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste (fluorescent light bulbs and batteries). The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.	The facility provided training in the form of a business conference class. The training did not appear to address emergency procedures. Not all employees that handle universal waste attended the class.	The facility revised the current universal waste management procedure to address the appropriate emergency procedures. Affected personnel were trained on the revised procedure.	5/4/05	7/2/05	6/20/05	B,F
15	40 C.F.R. § 262.11	A generator of solid waste must determine if the wastes that are generated are hazardous wastes.	<p>The following containers of materials/products no longer used by the facility were observed in the chemical shed:</p> <ol style="list-style-type: none"> 1. A 55-gallon drum of red tint. 2. A 55-gallon drum of Betz ENTEC 725 3. A 5-gallon container of Foamtrol AF724 4. A 5-gallon container of Spectrus BD15, which has a high pH. 5. A 5-gallon container of Sublime Water Scale Solvent, which has a low pH. 6. A 30-gallon drum of Optiguard MC3 <p>Personnel indicated that these materials were wastes but could not verify that hazardous wastes determinations had been made on the waste.</p>	The facility performed waste classifications and prepared waste profiles for the noted materials. The facility has properly disposed of the wastes. The facility developed an inspection procedure for the chemical storage shed to ensure materials are identified and waste profiles are developed. Affected personnel were trained on the inspection procedure.	5/4/05	7/2/05	6/29/05	A,F

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16	40 C.F.R. § 262.40(c)	A generator of solid waste must maintain records of hazardous wastes determinations made in accordance with 40 C.F.R. § 262.11.	No records were found documenting hazardous waste determinations made for the parts washer solvent, waste aerosol cans, fork truck wash area trap waste, and rags used with the magnaflux in the power area. In addition, there were no records of the hazardous waste determination made in association with used antifreeze waste, D006 and D007, shipped from the facility in July of 2004.	The facility performed waste classifications and prepared waste profiles for the noted waste streams. The facility updated the inventory of waste streams and included the waste classification for each waste stream. Affected personnel were trained on the waste classifications and preparation of waste profiles for the facility waste streams.	5/4/05	7/2/05	6/29/05	A,F,C
17	40 C.F.R. § 262.7(a)(8)	Generators are required to maintain copies of land disposal restriction forms for a period of three years from when a waste is shipped off site for disposal.	A copy of the Land Disposal Restriction form for manifest 99974 dated 6-30-03 was not in the facility files.	The facility obtained the copy of the LDR form from the waste disposal contractor. The facility updated the documentation management procedure to address LDR documentation and records retention requirements. Affected personnel were trained on the revised procedure.	5/5/05	7/3/05	6/29/05	D,F